

**IN THE CIRCUIT COURT OF PLEASANTS COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**BB LAND, LLC, a West Virginia company,
and JB EXPLORATION 1, LLC,**

Plaintiffs,

vs.

**Civil Action No. 18-C-2
(Pleasants County)**

**Presiding: Judge Joanna I. Tabit
Resolution: Judge H. Charles Carl**

**BLACKROCK ENTERPRISES, LLC, a
West Virginia company, and MICHAEL L.
BENEDUM,**

FILED IN OFFICE

Defendants.

DEC 07 2018

And

**WILLIE FARNSWORTH
CIRCUIT COURT CLERK
BY MAGISTRATE (JAN)**

BLACKROCK ENTERPRISES, LLC,

Defendant/Third-Party Plaintiff,

vs.

**JAY-BEE PRODUCTION COMPANY, a
West Virginia corporation, JAY-BEE OIL &
GAS, INC., A West Virginia corporation,
RANDY BRODA, and DEBBIE V. BRODA
MORGAN,**

Third-Party Defendants.

ORDER CORRECTING CIRCUIT COURT DOCKET

NOW COMES Defendant/Third-Party Plaintiff, Blackrock Enterprises, LLC
("Blackrock"), by counsel, and, pursuant to Trial Court Rule 24.01(c), submits this proposed Order
Correcting the Circuit Court's Docket in this matter.

1. By "Order Regarding Mediation or Other Method of Dispute Resolution" entered October 11, 2018 in the Circuit Court of Pleasants County, West Virginia, Judge Carl set forth various specific mediation procedures to be conducted for the December 10, 2018 mediation in this matter (the "Order Regarding Mediation").

2. The Order Regarding Mediation stated, among other things, that the mediation statements were to be confidential and "shall not be filed with the Clerk's office" and "shall not" be provided to the Presiding Judge and shall not become part of the record in this matter."

3. On November 30, 2018, counsel for Blackrock inadvertently forwarded its Itemization of Damages to the Circuit Clerk of Pleasants County, West Virginia for filing and likewise provided, via electronic mail, a copy to the Business Court.

Accordingly, it being proper to this Court and there being no objection thereto, this Court hereby **ORDERS** the following:

1. The Circuit Clerk of Pleasants County, West Virginia, shall remove and destroy Blackrock's Itemization of Damages from the docket in this matter.

2. The clerk of the Business Court shall remove and destroy the copy of Blackrock's Itemization of Damages from its file.

3. The Circuit Clerk of Pleasants County, West Virginia shall provide certified copies of this Order to all counsel of record as well as the clerk of the Business Court in this matter.

ENTERED: this the 7th day of December 2018.

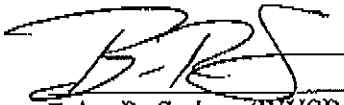

THE HONORABLE H. CHARLES CARL, III

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
Attest: Millie Farnsworth, Circuit Clerk
Pleasants County of West Virginia

received
12/7/18



PREPARED BY:



Brian R. Swiger (WVSB #5872)
Vivian H. Basdekis (WVSB #10587)
Chelsea A. Creta (WVSB #13187)
Jackson Kelly PLLC
P.O. Box 553
Charleston, WV 25322
Telephone: (304) 340-1000
Facsimile: (304) 340-1130
brswiger@jacksonkelly.com
vhbasdekis@jacksonkelly.com
chelsea.creta@jacksonkelly.com

and

D. Luke Thomas (WV #9999)
Jackson Kelly PLLC
45 Professional Place, Suite 200
Bridgeport, WV 26330
Telephone: (304) 624-6555
d.luke.thomas@jacksonkelly.com
*Counsel for Defendants and
Third-Party Plaintiff
Blackrock Enterprises, LLC and
Michael L. Benedum*